

24 June 2011

By email

Ms S Lock
Chief Executive
Leicester City Council

Dear Ms Lock

Annual Review Letter

I am writing with our annual summary of statistics on the complaints made to me about your authority for the year ending 31 March 2011. I hope the information set out in the enclosed tables will be useful to you.

The statistics include the number of enquiries and complaints received by our Advice Team, the number that the Advice Team forwarded to my office and decisions made on complaints about your council. Not all complaints are decided in the same year that they are received. This means that the number of complaints received and the number decided will be different.

The statistics also show the time taken by your authority to respond to written enquiries and the average response times by type of authority.

Complaints received during 2010-11

As you will see, we received 159 enquiries and complaints against the council in 2010/11, 88 of which were referred for investigation. As you know, we consider it important to deal with complaints as swiftly as possible and council response times to our enquiries are a significant factor in achieving timely outcomes. From formal enquiries made on 55 complaints this year, your average response time was 44.1 days which is significantly above the 28 day target. The council's performance is historically variable in this area but its performance this year is particularly disappointing as its response times for 2009/10 had shown some improvement and had come within the 28 day target. This year, the majority of responses to individual complaints were in excess of 28 days with a number over 50 days and a few exceeding 100 days. Twenty two responses were received well within the 28 day target, which is encouraging, but the council's overall performance continues to give me cause for concern. I strongly recommend that the council takes steps to improve its performance with a view to meeting the 28 day target.

Complaint outcomes

We decided 84 complaints during the year. In 45 cases we found no evidence of maladministration and in seven cases we decided to discontinue the investigation as we considered that there was insufficient injustice caused to the complainant to warrant further investigation. Eleven cases were considered to be outside my jurisdiction. I would like to thank the council for agreeing to settle 22 complaints.

Complaints to us covered a range of areas of the council. In one case concerning housing benefits the council agreed to pay compensation of £430 to the complainant. This was to acknowledge the distress caused to the complainant by the council's failure to properly assess her claim for benefit and it agreed to give staff training to prevent a repeat of this error.

In another case the council delayed implementing a ruling by the appeals tribunal for a year resulting in an overpayment in benefit. The council acknowledged its mistake, apologised and agreed not to reclaim the overpaid benefit. It also paid the complainant £100 in recognition of the distress and inconvenience caused.

In a further benefits case the council failed to use the correct rental value when assessing a complainant's benefit and delayed in remedying the error when the complainant brought this to its attention. The council recognised that there was a fault in the mechanism it used and agreed to review that and pay the complainant £250 for the anxiety and inconvenience caused.

In a case concerning school admissions the council had failed to alter its published information to reflect changes in the law and it agreed that it would hold a new hearing of the admission appeal and update the published information.

There were a number of housing repair cases which led to a settlement and in one the council agreed to pay £500 to a complainant for the three month delay in organising alternative heating for the complainant when the hot water and central heating system failed in his home during a particularly harsh winter. In addition the council agreed to review its practices to ensure that alternative heating is offered much earlier in heating repair cases.

Communicating decisions

We want our work to be transparent and our decisions to be clear and comprehensible. During the past year we changed the way we communicate our decisions and reasons. We now provide a stand-alone statement of reasons for every decision we make, to both the citizen who has complained and to the council. These statements replace our former practice of communicating decisions by letter. We hope this change has been beneficial and welcome your comments on this or any other aspect of our work.

In April 2011 we introduced a new IT system for case management and revised the brief descriptions of our decisions. My next annual letter will use the different decision descriptions that are intended to give a more precise representation of complaint outcomes and also add further transparency to our work.

Extended powers

During 2010/11 our powers were extended to deal with complaints in two significant areas.

In October 2010 all complaints about injustice connected to adult social care services came under our jurisdiction. The greater use of direct payments and personalised budgets means that it is particularly important for us to be able to deal with such complaints irrespective of whether a council has arranged the care. The increasing number of people who arrange and pay for their own social care now have the right to an independent and impartial examination of any complaints and concerns they may have about their care provider.

In the six months to April 2011 we received 75 complaints under our new adult social care powers. Between 2009/10 and 2010/11 complaints about care arranged or funded by councils doubled from 657 to 1,351.

The Apprenticeships, Skills, Children & Learning Act 2009 introduced powers for us to deal with complaints about schools by pupils or their parents. This was to be introduced in phases and currently applies in 14 council areas. By the end of 2010/11 we had received 169 complaints about schools in those areas and 183 about schools in other areas where we had no power to investigate. The Education Bill currently before Parliament proposes to rescind our new jurisdiction from July 2012.

Our new powers coincided with the introduction of Treasury controls on expenditure by government departments and sponsored bodies designed to reduce the public spending deficit. This has constrained our ability to inform care service users, pupils and their parents of their new rights.

Assisting councils to improve

For many years we have made our experience and expertise available to councils by offering training in complaint handling. We regard supporting good complaint handling in councils as an important part of our work. During 2010/11 we surveyed a number of councils that had taken up the training and some that had not. Responses from councils where we had provided training were encouraging:

- 90% said it had helped them to improve their complaint handling
- 68% gave examples of how the knowledge and skills gained from the training had been applied in practice
- 55% said that complaints were resolved at an earlier stage than previously
- almost 50% said that citizens who complained were more satisfied.

These findings will inform how we develop and provide training in the future. For example, the survey identified that councils are interested in short complaint handling modules and e-learning.

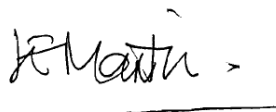
Details of training opportunities are on our web site at www.lgo.org.uk/training-councils/

More details of our work over the year will be included in the 2010/11 Annual Report. This will be published on our website at the same time as the annual review letters for all councils (14 July).

If it would be helpful to your council I should be pleased to arrange for a senior manager or myself

to meet you and explain our work in greater detail.

Yours sincerely

A handwritten signature in black ink, appearing to read "J Martin", with a horizontal line underneath.

Dr Jane Martin
Local Government Ombudsman

For further information on interpretation of statistics click on this link to go to www.lgo.org.uk/CouncilsPerformance

LGO Advice Team

Enquiries and complaints received	Adult Care Services	Benefits & Tax	Corporate & Other Services	Education & Childrens Services	Environmental Services & Public Protection & Regulation	Highways & Transport	Housing	Other	Planning & Development	Total
Formal/informal premature complaints	4	6	3	2	8	3	11	1	5	43
Advice given	1	1	1	5	3	2	10	5	0	28
Forwarded in investigative team (resubmitted)	1	2	1	0	2	0	5	0	2	13
Forwarded to investigative team (new)	5	7	3	14	5	10	21	2	8	75
Total	11	16	8	21	18	15	47	8	15	159

Investigative Team

Decisions	Reports: maladministration and injustice	Local settlements (no report)	Reports: Maladministration no injustice	Reports: no Maladministration	No Maladministration (no report)	Ombudsman's discretion (no report)	Outside jurisdiction	Total
2010 / 2011	0	22	0	0	44	7	11	84

No adult social care decisions were made in the period

Response times	First enquiries	
	No of first Enquiries	Avg no of days to respond
01/04/2010 / 31/03/2011	56	43.8
2009 / 2010	41	27.8
2008 / 2009	49	32.2

Provisional comparative response times 01/04/2010 to 31/03/2011

Types of authority	<= 28 days %	29 - 35 days %	> = 36 days %
District councils	65	23	12
Unitary authorities	59	28	13
Metropolitan authorities	64	19	17
County councils	66	17	17
London boroughs	64	30	6
National parks authorities	75	25	0

Response times adult social care 1/10/10 - 31/3/11	First enquiries	
	No of first Enquiries	Avg no of days to respond
2010/2011	2	14.5